

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TV INTERACTIVE DATA CORPORATION, a
California Corporation,

Plaintiff,

V.

SONY CORPORATION; SONY COMPUTER ENTERTAINMENT INC.; SONY COMPUTER ENTERTAINMENT AMERICA, INC.; SONY CORPORATION OF AMERICA; SONY ELECTRONICS, INC.; ROYAL PHILIPS ELECTRONICS N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.; VICTOR COMPANY OF JAPAN, LTD.; JVC AMERICAS CORP.; FUNAI ELECTRIC CO., LTD.; FUNAI CORPORATION, INC.; P&F USA, INC..

,

Defendants.

Case No. C 10-00475 PJH

**STIPULATION AND
[PROPOSED]
ORDER/COMMISSION FOR
DEPOSITIONS TO BE TAKEN IN
JAPAN**

DEPONENT:
TOSHIBA CORPORATION

1 **JOINT STIPULATION**

2 Beginning December 6, 2011, TV Interactive Data Corp. ("TVI") will begin depositions
3 of certain witnesses from Toshiba Corporation ("Toshiba") at the U.S. Embassy in Tokyo. TVI
4 and Toshiba hereby submit and jointly stipulate to the following Proposed Order/Commission for
5 Depositions to be Taken in Japan.

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7 **FOR PLAINTIFF TV INTERACTIVE DATA CORP.**

8 ROBINS, KAPLAN, MILLER & CIRESI,
9 L.L.P.

10 By:/s/ Victor C. Chan _____
11 Sang Young A. Brodie (pro hac vice)
12 E-mail: sybrodie@rkmc.com
13 Richard M. Martinez (pro hac vice)
14 E-mail: rmmartinez@rkmc.com
15 Trevor J. Foster (pro hac vice)
16 E-mail: tjfoster@rkmc.com
17 Victor C. Chan (pro hac vice)
18 E-mail: vcchan@rkmc.com

19 Dated: November 7, 2011

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21 **FOR DEFENDANT TOSHIBA CORPORATION**

22 DLA PIPER LLP

23 By: /s/ Ronald L. Yin _____
24 Ronald L. Yin
25 E-mail: ronald.yin@dlapiper.com
26 Mark D. Fowler
27 E-mail: mark.fowler@dlapiper.com
28 Gerald T. Sekimura
29 E-mail: gerald.sekimura@dlapiper.com
30 Erik R. Fuehrer
31 E-mail: erik.fuehrer@dlapiper.com
32 Carrie Lynn Williamson
33 E-mail: carrie.williamson@dlapiper.com

34 Dated: November 7, 2011

1 I, Victor C. Chan, am the ECF user whose User ID and Password are being utilized in the
2 electronic filing of the STIPULATION AND [PROPOSED] ORDER/COMMISSION FOR
3 DEPOSITIONS TO BE TAKEN IN JAPAN. Pursuant to the Northern District of California's
4 General Order 45(X)(B), I attest that concurrence in the filing has been obtained from Ronald L.
5 Yin.

6 Dated: November 7, 2011

/s/ Victor C. Chan

Victor C. Chan

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[PROPOSED] ORDER/COMMISSION FOR DEPOSITIONS TO BE TAKEN IN JAPAN

TO: ANY CONSUL OR VICE CONSUL OF THE UNITED STATES OF AMERICA
AT TOKYO, JAPAN

Upon the application of Complainant TV Interactive Data Corporation (“TVI”), in *TVI Data Corp. v. Sony Corp., et al.*, Inv. No. 10-00475, before the U.S. District Court for the Northern District of California, and pursuant to Article 17 of the United States – Japan Consular Convention,

IT IS ORDERED THAT the depositions on notice of the following volunteering witnesses be taken at the U.S. Embassy in Tokyo, Japan commencing on or about December 6, 2011, at 8:30 a.m. and terminating on or about December 22, 2011 at 4:00 p.m., and that any documentary exhibits in connection therewith be marked:

1. Fed. R. Civ. P. 30(b)(6) deposition of Toshiba Corporation

Toshiba Corporation

1-1, Shibaura 1-chome, Minato-ku
Tokyo, 105-8001, Japan

Potential witnesses for the Fed. R. Civ. P. 30(b)(6) deposition Toshiba Corporation include the following:

Reiko Kawachi
Tadayuki Tanie
Hajime Suda
Hiroyasu Oogo
Akira Takei
Nobumasa Naito

2. Fed. R. Civ. P. 30(b)(1) depositions of individuals

Potential witnesses for depositions under Fed. R. Civ. P. 30(b)(1) include:

Reiko Kawachi
Tadayuki Tanie
Hajime Suda
Hiroyasu Oogo
Akira Takei
Nobumasa Naito

Counsel for Defendant Toshiba Corporation who will participate in said depositions are

1 Ronald L. Yin, Mark D. Fowler, Gerald T. Sekimura, Erik R. Fuehrer, Carrie L. Williamson, and
2 Saori Kaji.

3 Members of Toshiba Corporation's Intellectual Property Department that may attend the
4 depositions include Yuriko Hiroko, Masatoshi Akimoto, Masatsugu Mukuge, Takeshi Tamashiro,
5 and Minoru Asada.

6 Counsel for TVI who will participate in said depositions are Richard M. Martinez, Sang
7 Young A. Brodie, Trevor J. Foster, and Victor C. Chan. In addition, Quynh Nguyen, James
8 Tornes and Andrew Wolfe may attend on behalf of TVI.

9 Jared Taylor will act as interpreter.

10 The proceedings will be recorded by Christopher Sheppard Hanlon, Lee Anthony Bowry,
11 Peter Wai Kwong Au, Jeffrey Marc Menton, Randell Buckler, Deborah Marshall, Jodi Harmon,
12 Lawrence Paul Nelson, Melanie Louise Giamarco, Tracey LoCastro and/or Randi Birnhak with
13 American Realtime Court Reporters & Videographers. Please cause the testimony of said
14 witnesses to be recorded by video and reduced to writing; the depositions to be signed by said
15 witnesses; said deposition testimony to be annexed to your Commission and closed under your
16 seal; and the return of these materials to this Court with all convenient speed.

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1 WITNESS, the Honorable Phyllis J. Hamilton, United States Judge of the United States District
2 Court, Northern District of California, this 8th day of November 2011.

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5 Honorable Phyllis J. Hamilton
6 United States Judge
7 United States District Court
Northern District of California
Oakland Courthouse, Courtroom 3 – 3rd Floor
1301 Clay Street
Oakland, CA 94612

8 I hereby certify that the signature above is that of the Honorable Phyllis J. Hamilton, United
9 States Judge of the United States District Court, Northern District of California.

10 _____ Clerk of the Court

11 By: _____

12 Deputy Clerk: _____

13 Seal:

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